

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JEFFERY HARDIE,

Plaintiff,

v.

CLAUDIA BACCALDIA, et al.,

Defendants.

Case No. C15-611-RSM-JPD

REPORT AND RECOMMENDATION

Plaintiff filed a proposed civil rights complaint in the above-entitled action on February 9, 2015. Dkt. 1. However, plaintiff did not pay the \$400 filing fee or file an application to proceed *in forma pauperis* (“IFP”). By letter dated April 17, 2015, the Court advised plaintiff that he must pay the filing fee or submit the Court’s Declaration and Application to Proceed In Forma Pauperis and Written Consent for Payment of Costs form (“IFP application”) by no later than May 18, 2015, or else his action may be dismissed. Dkt. 2. Plaintiff was also mailed a blank copy of the Court’s IFP application. *See id.*

To date, however, plaintiff has failed to pay the applicable filing fee or submit an IFP application. Accordingly, the Court recommends that this 42 U.S.C. § 1983 action be DISMISSED without prejudice for failure to prosecute.

A proposed order accompanies this Report and Recommendation. The Clerk is directed to send copies of this Order to plaintiff and to the Honorable James P. Donohue.

This Report and Recommendation is not an appealable order. Thus, a notice of appeal seeking review in the Court of Appeals for the Ninth Circuit should not be filed until the assigned District Judge acts on this Report and Recommendation.

DATED this 8th day of June, 2015.

James P. Donohue

REPORT AND RECOMMENDATION
PAGE - 2